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2 HONORABLE BENJAMIN H. SETTLE
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12 UNITED STATES DISTRICT COURT
13 WESTERN DISTRICT OF WASHINGTON
14 AT TACOMA
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17 **LEA MOQUETE**, individually and on behalf of
18 all others similarly situated,

19 Plaintiff,

20 v.

21 **GNC HOLDINGS, LLC**, a Foreign Limited
22 Liability Company, and **DOES 1-10**, inclusive,

23 Defendant.

24 CASE NO. 3:24-cv-05393-BHS

25 **ORDER GRANTING STIPULATED
26 MOTION FOR LEAVE TO FILE
FIRST AMENDED COMPLAINT**

1 The Court, having reviewed the Parties' Stipulated Motion For Leave To File First
2 Amended Complaint, **HEREBY ORDERS** as follows:

3 1. The Stipulated Motion For Leave To File First Amended Complaint is
4 **GRANTED**;

5 2. Plaintiff's individual and class claims for (1) alleged failure to provide meal
6 periods and rest periods and alleged failure to compensate for missed, late, and/or interrupted
7 meal and rest periods pursuant to WAC 296-126-092; (2) alleged failure to pay overtime wages
8 pursuant to the Washington Minimum Wage Act ("WMWA"); and (3) double damages pursuant
9 to RCW 49.52 *et seq.* are hereby dismissed without prejudice and without a separate award of
10 costs and attorneys' fees; and.

11 3. Plaintiff shall have leave to file the proposed First Amended Complaint attached
12 to the Parties' Stipulated Motion as **Exhibit 1**. Plaintiff shall promptly file the First Amended
13 Complaint as its own, separate docket entry.

14 **IT IS SO ORDERED.**

15 DATED this 1st day of July, 2024.



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17 BENJAMIN H. SETTLE
18 United States District Judge
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